

SENATE No. 807

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Creating A Special Task Force To Make An Investigation And Study Of Issues Relating To The Practice Of Defensive Medicine..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding the provisions of any general or special law to the
2 contrary, there is hereby established a special task force to study the prevalence, cost, and
3 patient-safety issues relating to the practice of defensive medicine in the Commonwealth. The
4 task force shall investigate and report on the practice of defensive medicine in the
5 Commonwealth, including costs to the state and insurers as a result of this practice, negative
6 consequences arising out of the practice of defensive medicine and the impact of defensive
7 medicine on patient care and safety. The task force shall also develop and recommend strategies
8 to reduce the impact of defensive medicine.

9 The task force shall be comprised of 15 members, including the House and Senate Chairs
10 of the Joint Committee on Health Care, who shall serve as co-chairs of the task force; the House
11 and Senate Chairs of the Joint Committee on Insurance; the House and Senate Chairs of the Joint
12 Committee on Health Care Finance; a Senate member recommended by the Senate President; a
13 Senate member of the minority party recommended by the minority leader of the Senate; a

14 House member recommended by the Speaker of the House; a House member of the minority
15 party recommended by the minority leader of the House; the Commissioner of the Department of
16 Public Health or his designee; the dean of the University of Massachusetts Medical School; and
17 one representative from each of the following organizations: the Massachusetts Hospital
18 Association; the Massachusetts Medical Society and the Massachusetts Association of Health
19 Plans. Said task force shall file a report of its study, including its recommendations and drafts of
20 any legislation, if necessary, with the clerks of the Senate and House of Representatives within
21 one year of the effective date of this act.